

From the INTERNATIONAL BUREAU

PCTNOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)

(PCT Rule 44bis.1(c))

To:

JULIANO, Joseph
Fish & Richardson P.C.
P.O. Box 1022
Minneapolis, Minnesota 55440-1022
ETATS-UNIS D'AMERIQUEDate of mailing (*day/month/year*)
26 April 2007 (26.04.2007)Applicant's or agent's file reference
09991-167WO1**IMPORTANT NOTICE**International application No.
PCT/US2005/036808International filing date (*day/month/year*)
11 October 2005 (11.10.2005)Priority date (*day/month/year*)
15 October 2004 (15.10.2004)

Applicant

FUJIFILM DIMATIX, INC. et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
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Authorized officer

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 09991-167WO1	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2005/036808	International filing date (<i>day/month/year</i>) 11 October 2005 (11.10.2005)	Priority date (<i>day/month/year</i>) 15 October 2004 (15.10.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant FUJIFILM DIMATIX, INC.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 17 April 2007 (17.04.2007) Authorized officer <p style="text-align: center; font-weight: bold;">Beate Giffo-Schmitt</p> e-mail: pt03.pct@wipo.int
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 17 FEB 2006

PCT
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To:

see form PCT/ISA/220

28/4

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2005/036808

International filing date (day/month/year)
11.10.2005

Priority date (day/month/year)
15.10.2004

International Patent Classification (IPC) or both national classification and IPC
G06K15/10

Applicant
DIMATIX, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/036808

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/036808

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-13,17-25
	No: Claims	14-16,26-33
Inventive step (IS)	Yes: Claims	1-13,17-25
	No: Claims	14-16,26-34
Industrial applicability (IA)	Yes: Claims	1-34
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

- 1 Reference is made to the following document:
D1 : EP 1 452 313 A (OLYMPUS CORPORATION) 1 September 2004 (2004-09-01)
- 2 Article 6 PCT: Although claims 1, 14, 17 have been drafted as separate independent method-claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought in respect of the terminology used for the features of that subject-matter. The same applies to the independent system-claims 26 and 30. The aforementioned claims therefore lack conciseness and as such do not meet the requirements of Article 6 PCT.
- 3 INDEPENDENT CLAIMS 14, 26 and 30

- 3.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 14 is not new in the sense of Article 33(2) PCT.
Document D1 discloses (the references in parentheses applying to this document):

A method of printing one or more images (fig. 1), the method comprising:
receiving image data to be printed at a printing device, the image data representing two or more images and being divided into a plurality of portions (col. 1: lines 46-57; fig. 1), each portion corresponding to one of a plurality of print element associations (fig. 1; fig. 2); providing to each of the print element associations the corresponding portion of image data (fig. 1, fig. 2); and controlling each association of print elements to print its corresponding portion of image data at substantially a same time (fig. 1; fig. 2).

The same reasoning with respect to novelty applies to independent claim 26 and claim 30.

- 4 DEPENDENT CLAIMS 15, 16, 27-29, 31-34

Dependent claims 15, 16, 27-29, 31-34 do not contain any features which, in

combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

5 INDEPENDENT CLAIM 1 and 17

5.1 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document):

A method of printing one or more images, the method comprising: image data to be printed at a printing device (fig. 1) comprising a plurality of print element associations (fig. 1, fig. 2), a first set of image data divided into a first plurality of portions and a second set of image data divided into a second plurality of portions (col. 7: lines 16-27, fig. 3a-c), wherein each portion of the first plurality of portions is associated with a print element association at the printing device and each portion of the second plurality of portions is associated with a print element association at the printing device (fig. 1, fig. 2); and providing to at least one of the print element associations an associated portion of the first set of image data and to at least one of the print element associations an associated portion of the second set of image data (col. 6: lines 40-45, fig. 1, fig. 2).

From this, the subject-matter of independent claim 1 differs in that:

A plurality of sets of image data to be printed are gathered, wherein the plurality of sets comprise a first and a second set of image data.

- 5.1.1** The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).
The problem to be solved by the present invention may be regarded as: how to realize a fast and flexible printing system for conveyed workpieces.
- 5.1.2** The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons: the fact that first and second sets of image data, each associated with a print element association, are gathered for a plurality sets of image data offers the possibility to print on two conveyed workpieces at the same time by one

printing head with the possibility to choose from a variety of images.

The same reasoning with respect to novelty and inventive step applies to independent claim 17.

6 DEPENDENT CLAIMS 2-13; 18-25

Claims 2-13, dependent on claim 1 and claim 18-25, dependent of claim 17 as such also meet the requirements of the PCT with respect to novelty and inventive step.